



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

TOWN OF MAYNARD

Report, Budget, Recommendations, and Official Warrant

ANNUAL TOWN MEETING

Monday, May 21, 2012 at 7:00 P.M.

FOWLER MIDDLE SCHOOL AUDITORIUM
Three Tiger Drive

PLEASE READ AND BRING THIS DOCUMENT TO THE TOWN MEETING

SPECIAL NOTICE TO VOTERS

On Monday May 14, 2012 at 7:00 p.m., a meeting will be held at the Maynard Town Building, Room 201, to discuss with any citizen who desires further information, as to the recommended budget and capital plan, and any special Articles in the Warrant to which the Finance Committee has made a recommendation. Explanation and discussion concerning these matters may be helpful in the interest of saving time at the Annual Town Meeting. Your participation is welcomed

ADA ADVISORY

Anyone in need of special arrangements for the Town Meeting, such as an assessable wheelchair or signing for the hearing impaired, please contact the Office of the Selectmen at (978) 897-1301 by May 1, 2012 in order that reasonable accommodations may be made.

PROCEDURES AT TOWN MEETING

Order of Articles: Articles are voted on in the order they are presented unless Town Meeting votes to do otherwise.

Secret Ballot Votes: The Moderator determines whether or not an article requires a secret ballot according to Town By-laws. If the Moderator determines that an Open Vote applies to an article, at least 25 voters may request that a secret ballot vote be taken. The request for a secret ballot vote must be made prior to the open vote being taken.

Amending an Article at Town Meeting: Anytime after a main motion has been made and seconded, but before being voted on, it is possible to amend the main motion:

1. Ask the Moderator for recognition.
2. Present a motion to amend verbally and submit a copy of the motion in writing to the Moderator. The motion to amend must include your name as sponsor, any change in appropriation and its source.
3. The motion to amend must be seconded.
4. The motion to amend must be voted on by Town Meeting separately from the main motion.
5. The motion to amend must pass by a simple majority vote.
6. More than one motion to amend can be made to the main motion, but must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
7. After all motions to amend are voted, the main motion, (or as amended), must be voted on.

Reconsider an Article: An article may be reconsidered for vote, **only** within thirty (30) minutes of the time that the main article (motion) was voted on. An article can only be reconsidered once. To reconsider:

1. Ask the Moderator for recognition.
2. Ask for reconsideration within the thirty (30) minute time limit. The Moderator can now finish present business, which may go on beyond thirty (30) minute limit. However, the Moderator shall take up the reconsideration as the next order of business.
3. At the proper time, present your motion for reconsideration and state your name.
4. At the Moderator's option, he can move the motion without further discussion.

NECESSARY MAJORITIES

9/10 majority is required for unpaid bills of prior fiscal years (Special Town Meeting) that had no appropriation.

4/5 majority is required for unpaid bills of prior fiscal years (Annual Town Meeting).

2/3 majority is required for all borrowing, land acquisitions or transfers and zoning by-laws.

Simple majority is required for all else, such as: regular by-laws, current appropriations and transfers, unpaid bills of prior years that have money appropriated but arrived too late to be included.

NOTE:

Yes and No votes only will be considered in the calculation of percentages. To figure the percentage, divide the Yes votes by the total Yes and No votes.

Example: 100 Yes, 50 No, and 20 Blanks shall be interpreted as:

$$\frac{100 \text{ Yes}}{100 \text{ Yes} + 50 \text{ No}} = 66.7\% \text{ or } 2/3$$

GLOSSARY OF TERMS USED AT TOWN MEETING

APPROPRIATE: The authority to tax and spend funds for the purpose stated.

ASSESSMENT: The estimated value of worth of a piece of property or a group of properties. Assessment of property is done within specific guidelines by the Board of Assessors.

BY-LAWS: The Town's guidelines – laws that cannot be deviated from "by-law."

CHERRY SHEET: The state document that details the actual amount of state aid to the Town, and the charges the town must pay the state.

DEBT LIMIT: The maximum amount that a Town can borrow. In most cases, state law prohibits borrowing more than 5% of the total average valuation of taxable property. There are certain exceptions to this limit.

CERTIFIED FREE CASH: The amount of Surplus Revenue over and above uncollected taxes of prior years, certified by the Director of Accounts as of June 30th each year.

GENERAL FUND: Account from which all transactions are made, pay bills, collections, etc.

OVERLAY: The amount raised by the Assessors in excess of anticipated expenditures (appropriations and charges) to cover abatements, etc.

OVERLAY RESERVE: The accumulated amount of the Overlay for various years not used may be used for extraordinary expenses or Reserve Fund. Unused Overlay Reserve must be returned to Surplus Revenue.

RESERVE FUND: Fund under the control of the Finance Committee to provide for extraordinary or unforeseen expenditures, may only be appropriated at Annual Town Meeting.

SURPLUS REVENUE: The amount by which cash, accounts receivable, and other current assets exceed liabilities and reserve.

STABILIZATION FUND: A savings account. Each year an amount not exceeding 10% of the preceding years' taxation of real and personal property may be appropriated. This fund is intended for purchasing capital items, which the town would otherwise borrow for.

Annual Town Meeting

<u>Article</u>	<u>Title</u>	<u>Department</u>	<u>Page #</u>
1	Town Report Acceptance	Board of Selectmen	
2	2013 Salary Administration Plan	Board of Selectmen	
3	Authorize Revolving Funds	Board of Selectmen	
4	Authorize Treasurer To Borrow	Board of Selectmen	
5	Solid Waste By-Law	Board of Selectmen	
6	Solid Waste Contract	Board of Selectmen	
7	Town Hall Reorganization	Board of Selectmen	
8	Fiscal Year 2013 Operating Budget	Board of Selectmen	
9	Water Enterprise Budget Fiscal Year 2013	Board of Selectmen	
10	Sewer Enterprise Budget Fiscal Year 2013	Board of Selectmen	
11	Water Capital Expenditure Plan	DPW	
12	Sewer Capital Expenditures Plan	DPW	
13	Finance Committee Reserve Fund	Finance Committee	
14	Demolition of Old Fowler Gym	Facilities Department	
15	Redevelopment Authority	Board of Selectmen	
16	Downtown Enhancement Funds	Board of Selectmen	
17	Retirement Minimum Monthly Allowance	Retirement Board	
18	AVRTHS Renovation Project	Board of Selectmen	
19	CPC Fund Reserve FY 2013	C PC	
20	Aggregated Purchase of Energy	Board of Selectmen	
21	Fire Department Capital Equipment	Fire Department	

Special Town Meeting

<u>Article</u>	<u>Title</u>	<u>Department</u>	<u>Page #</u>
S-1	Prior Years Bills	Board of Selectmen	
S-2	Community Preservation Fund Reserve	CPC	
S-3	By-Law Zoning Map Section 2	Planning Board	
S-4	Greensand Filter Media Well #4	DPW	
S-5	Certified Free Cash Appropriation	Board of Selectmen	
S-6	OBEB Trust	Finance Director	

S-7	Unexpended Proceeds of Outstanding Bond	Board of Selectmen
S-8	FY2012 Operating Budget Transfers	Board of Selectmen

ARTICLE: 1 TOWN REPORT ACCEPTANCE

To hear and act upon the reports of Town Officers and Committees.

To do or act thereon.

SPONSORED BY: Board of Selectmen

APPROPRIATION: None

FINCOM RECOMMENDATION: None

Comments:

ARTICLE: 2 FISCAL YEAR 2013 SALARY ADMINISTRATION PLAN

To see if the Town, under the authority of Section 108A of chapter 41 of the Massachusetts General Laws, will vote to amend the Maynard Salary Administration Plan for FY 2013 by deleting the section 19 entirely and substituting therefore, a new Section 19 as printed in warrant as attached.

Attachment: Appendix "A"

To do or act thereon.

SPONSORED BY: Board of Selectmen

APPROPRIATION: None

FINCOM RECOMMENDATION: At Town Meeting

Comments:

ARTICLE: 3 AUTHORIZE REVOLVING FUNDS

To see if the Town will vote pursuant to G. L. c. 44, § 53E1/2, to authorize the use of revolving fund accounts for the following boards or departments, and that unless otherwise amended by Town Meeting, such accounts shall not exceed the following amounts for Fiscal Year 2013:

Conservation Commission: for the purpose of administering the consultant fee provision of Maynard's Wetland Protection By-law, the funds to be set at \$15,000.00 in Fiscal Year 2013 from Wetlands By-law Consultant Fees, said funds to be expended by the Conservation Commission.

Planning Board: for the purpose of fees and expenses associated with Site Plan Review, Special Permit and Subdivision Applications, and Zoning Bylaw and Subdivision Regulation revisions; the funds to be set at \$22,400.00 in Fiscal Year 2013 from Site Plan Review, Special Permit and Subdivision Application fees; said funds to be expended by the Planning Board.

Town Drop Off Center Fees: For the purpose of fees and expenses associated with disposal of household hazardous products, yard waste, tires and electronics collected at town drop-off center at the Highway Garage, the funds to be set at \$8,000.00 in Fiscal Year 2013 and said funds to be expended by the DPW.

Licensing Fees: for the purpose of fees and expenses associated with inspections of food establishments in the Town of Maynard, the funds to be set at \$12,000.00 in Fiscal Year 2013 and said funds to be expended by the Board of Health.

Council of Aging: For the purpose of fees and expenses associated with operating the Council of Aging, the funds to be set at \$10,000.00 in Fiscal Year 2013 and said funds to be expended by the Council on Aging.

Sealer of Weights and Measures: for the purpose of fees and expenses associated with the inspections performed by the Sealer of Weights and Measures, the funds to be set at \$5,000.00 in Fiscal Year 2013 from Sealer and Weights and Measurers Fees, said funds to be expended by the Board of Health.

Electrical Inspection Services: for the purposes of fees and expenses associated with inspections performed by the Wiring Inspector, the funds to be set at \$22,000.00 in Fiscal Year 2013 from Wiring Fees, said funds to be expended by the Fire Department.

Plumbing Inspectional Services: for the purpose of fees and expenses associated with inspections performed by the Plumbing Inspector, the funds to be set at \$20,000.00 in Fiscal Year 2013 from Plumbing Fees, said funds to be expended by the Board of health

Gas Inspection Services: for the purpose of fees and expenses associated with inspections performed by the Gas Inspector, the funds to be set at \$6,600.00 in Fiscal Year 2013 from Gas Fees, said funds to be expended by the Board of Health.

To do or act thereon.

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	None
FINCOM RECOMMENDATION:	At Town Meeting

Comments:

ARTICLE: 4 **AUTHORIZE TREASURER TO BORROW**

To see if the Town will vote to authorize the treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the Fiscal Year beginning July 1, 2012 in accordance with provision of General Laws, Chapter 44,

Section 4, and to issue a note or notes, therefore, payable within one year in accordance with provisions of General Laws, Chapter 44, Section 17.

To do or act thereon.

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	None
FINCOM RECOMMENDATION:	At Town Meeting

Comments:

ARTICLE: 5 SOLID WASTE BY-LAW

To see if the town will vote to amend Chapter VI of the General Bylaws by adding new sections 3 as follows:

Section 3: Solid Waste Collection, Management and Enforcement

A. Overall Authority: The Board of Health shall be responsible for providing overall direction and enforcement of those areas of any of the solid waste programs that are assigned to it by state law, local bylaw, the Board of Selectmen or the Town Administrator. In furtherance hereof, and in accordance with G.L. c. 111 §31B the Board of Health shall make rules and regulations, including the establishment of fees, for the control of the removal, transportation or disposal of garbage, offal or other offensive substances. Additionally, the Board of Health shall make rules and regulations for the control of recycling and leaf and yard waste collections and disposal. The Board of Health shall hold a public hearing in accordance with G.L. c. 111 §31 prior to the adoption of said regulations.

B. Day to Day Management: The Department of Public Works, shall be responsible for the establishment and overall management of the Town of Maynard collection, management and disposal of residential solid waste, including but not limited to curbside collection of trash, residential refuse, recycling, leaf collection, drop off collection, and shall conduct said management consistent with the Rules and Regulations established by the Board of Health. Notwithstanding the foregoing, the licensing of contractors and dumpsters shall remain under the management of the Board of Health.

C. Violations and Penalties: Any person who violates any prohibition contained in the Regulations adopted by the Board of Health shall be subject to a fine of \$300.00 for each offense; where each day the offense occurs being deemed a separate offense and each improperly disposed of item shall constitute a separate offense. The fines noted hereunder shall be in addition to and not in place of any fine or penalty provided for by the General Laws of the Commonwealth of Massachusetts.

D. Enforcement: The Public Health Agent, Director of Public Works or designee, the Maynard Police Department, shall each have authority to enforce the provisions and issue citations as necessary of this bylaw.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: None
FINCOM RECOMMENDATION: At Town Meeting

Comments:

ARTICLE: 6 SOLID WASTE CONTRACT

To see if the Town will vote to authorize the Town Administrator, with the approval of and consultation with the Board of Health and the Board of Selectmen, to contract on behalf of the Town with regard to solid waste issues; and

further to see if the Town will vote to authorize the Town Administrator, with the approval of the Board of Health and the Board of Selectmen, to negotiate and enter into a five (5) year contract and in addition, at the discretion of the Town, two (2) extensions totaling two (2) years, with E.L. Harvey & Sons, Inc of Westborough, MA, on terms the Board of Selectmen and Board of Health may determine to be in the best interest of the Town for the collection of solid waste and recycling in the Town of Maynard

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: None
FINCOM RECOMMENDATION: At Town Meeting

Comments:

ARTICLE: 7 TOWN HALL REORGANIZATION

To see if the town will vote in accordance with Article 4 §4-2 and Article 5 of the Town of Maynard Charter to accept the reorganization plan of the Town Administrator to improve inspectional, permitting and other such service to the public as follows:

Empower the Assistant Town Administrator to act as the Executive Director of Municipal Service, and to reorganize various services under the Executive Director of Municipal Services through and with the oversight of the Town Administrator. The Executive Director of Municipal Services under this plan will coordinate and supervise the following departments and staff assigned to those departments: Conservation Department, Planning Department, Building Inspections, Wiring Inspections, Plumbing Inspections, Gas Inspections, and Health Department. The Executive Director's responsibilities will include, but will not be limited to the following; scheduling of work, coordination requests and to foster a cohesive environment with public service, efficiency and competency as the overall goal.

The various boards, commissions and committees served by individuals within this reorganization will remain unaffected and those individuals will remain facilitators to those bodies. Additional “day to day” workplace adjustments will continue to be prescribed by the Town Administrator and as noted in the Town Charter. It is vital to co-locate these services to provide a team approach and ease of access for constituents.

And further, to vote to raise and appropriate the sum of \$55,000.00 from certified free cash as July 1, 2011 to make necessary alterations and repairs at the Town Building to accommodate the foregoing reorganization.

See Attachment: Appendix “B”

To do or act thereon.

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	\$55,000.00
FINCOM RECOMMENDATION:	At Town Meeting

Comments:

ARTICLE: 8 FISCAL YEAR 2013 OPERATING BUDGET

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide to meet the salaries and wages of Town Officers and employees, expense, and outlays of the Town Departments, and other sundry and miscellaneous, but regular, expenditures necessary for the operation of the Town for Fiscal Year 2013 (July 1, 2012 – June 30, 2013), said sums of money as listed in the column entitled “FY2013” and further, to accept and expend Federal and State Funds to offset certain salaries or expenses or outlays as listed below against specific line items; and to do or act thereon.

See Attachment: Appendix “C”

PROJECTED FISCAL YEAR 2013 REVENUE SOURCES AND EXPENDITURES

Revenue Sources	Fiscal Year 2013	Fiscal Year 2013
Tax Levy	22,412,612.00	
Proposition 2.5% Increase	560,315.00	
New Growth	125,000.00	
Sub Total Levy		23,097,927.00
School Exclusion	219,539.00	
Library Exclusion	303,000.00	
School Partial Adv Refunding of 2003	398,464.00	
Police Station Exclusion	346,716.00	
School Boilers Exclusion	61,288.00	

High School 9/29/11	449,993.00	
High School 2/15/12	473,049.00	
Sub Total Debt Exclusion		2,252,049.00
State Aid (Receipts)		5,303,860.00
SBA Reimbursements		897,661.00
Local Receipts		2,000,000.00
Direct Revenue Offsets		
Ambulance Receipts	250,000.00	
Ambulance Receipts (Capital)	95,000.00	
Water	280,178.00	
Sewer	460,279.00	
Fund 4011 Powdermill Gift Account	100,000.00	
Free Cash	585,192.00	
Sub Total Direct Revenue Offsets		1,770,649.00
TOTAL REVENUE		35,322,146.00
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Expenditures		
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Operating Budget		33,567,645.00
Additions to Overlay		363,527.00
Articles		491,000.00
Article #13		100,000.00
Reserve Fund		300,000.00
Prior Years Bills (unemployment)		40,894.00
State Charges		448,559.00
TOTAL EXPENDITURES		35,311,625.00

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	\$33,567,645.00
FINCOM RECOMMENDATION:	At Town Meeting

Comments:

ARTICLE: 9 WATER ENTERPRISE BUDGET FISCAL YEAR 2013

To see if the Town will vote to raise and appropriate from Water Enterprise fees a sum of
\$ 1,284,326 to operate the Water Enterprise Budget as listed in the column entitled
"Recommended Fiscal Year 2013" as follows:

DEPT	ACCOUNT TITLE	FISCAL YEAR 2012 ADOPTED	FISCAL YEAR 2013 RECOMMENDED
450	WATER - SALARIES	222,265.00	201,346.00
450	WATER - EXPENSE	457,250.00	517,500.00
450	LONG TERM DEBT PRINCIPAL	455,238.00	378,050.00
450	LONG TERM DEBT INTEREST	125,311.00	187,430.00
	TOTAL WATER ENTERPRISE BUDGET	1,260,064.00	1,284,326.00

To do or act thereon.

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	\$1,284,326.00
FINCOM RECOMMENDATION:	At Town Meeting

Comments:

ARTICLE: 10 SEWER ENTERPRISE BUDGET FISCAL YEAR 2013

To see if the Town will vote to raise and appropriate from Sewer Enterprise fees a sum of
\$ 1,790,997.00 to operate the Sewer Enterprise Budget as listed in the column entitled
"Recommended Fiscal Year 2013" as follows:

DEPT	ACCOUNT TITLE	FISCAL YEAR 2012 ADOPTED	FISCAL YEAR 2013 RECOMMENDED
440	SEWER - SALARIES	123,233.00	110,786.00
440	SEWER - EXPENSE	101,200.00	115,800.00

440	LONG TERM DEBT PRINCIPAL	106,550.00	421,620.00
440	LONG TERM DEBT INTEREST	45,241.00	178,543.00
443	WWTP - SALARIES	199,756.00	212,448.00
443	WWTP - EXPENSE	760,800.00	751,800.00
443	LONG TERM DEBT PRINCIPAL	298,262.00	0.00
443	LONG TERM DEBT INTEREST	133,627.00	0.00
TOTAL SEWER ENTERPRISE BUDGET		1,768,669.00	1,790,997.00

To do or act thereon.

SPONSORED BY: Board of Selectmen
 APPROPRIATION: \$1,790,997.00
 FINCOM RECOMMENDATION: At Town Meeting

Comments;

ARTICLE: 11 WATER CAPITAL EXPENDITURE PLAN

To see if the Town will vote to transfer from “Water Retained Earnings” the sum of \$215,151.00. Funds to be used for van replacement, engineering and bidding of painting and repairs to the steel and concrete water storage tanks, engineering, water infrastructure engineering, bidding and repairs, leak detection study, replace generator at Old Marlboro Road Wells, and SCADA maintenance and upgrades. Unused funds will be used to reduce bond costs for the repair and maintenance of the concrete and steel water tanks.

Estimated Costs:

• Van Replacement	\$30,000.00
• SCADA Upgrades and Maintenance	\$40,151.00
• Leak Detection Study	\$25,000.00
• Steel and Concrete Storage Tanks Repair	\$50,000.00
• Infrastructure Repairs	\$45,000.00
• Old Marlboro Road Generator	\$25,000.00

To do or act thereon.

SPONSORED BY: Department of Public works
 APPROPRIATION: \$215,151.00 from Water Retained Earnings
 FINCOM RECOMMENDATION: At Town Meeting

Comments:

The retained earnings will be used to pay for the above items that are either mandated by DEP or essential to the maintenance of the water system. This will allow the Department of Public Works to begin the process of evaluation of our water infrastructure, sections which are over 100 years old. Perform a DEP mandated Leak Detection Study, Paint and repair our Water Storage Tanks, and continual upgrade of critical components at the Treatment Plants.

ARTICLE: 12 SEWER CAPITAL EXPENDITURE PLAN

- To see if the Town will vote to transfer from “Sewer Retained Earnings” the sum of \$385,218.00. Funds to be used for truck replacement, engineering and bidding for the replacement of the Mockingbird Sewer Lift station. This expenditure will allow infiltration/ inflow studies, repairs to include sewer pump stations, Waste Water Treatment Plant equipment upgrades, infrastructure surveys and repairs, compliant with storm water mandate requirements in accordance with the Storm Water Management Act of 1998.
- | | |
|--------------------------------------|-------------|
| • Mockingbird Pump Station Design | \$60,000.00 |
| • I&I to Include Pump Stations | \$70,000.00 |
| • WWTP Equipment Upgrades | \$70,000.00 |
| • Infrastructure Surveys and Repairs | \$70,000.00 |
| • Stormwater Management | \$60,218.00 |
| • Truck Replacement | \$30,000.00 |
| • Plant Water System | \$25,000.00 |

To do or act thereon.

SPONSORED BY:	Department of Public
works	
APPROPRIATION:	\$385,218.00
FINCOM RECOMMENDATION:	At Town Meeting

Comments:

These are projects that were included in the CDM report, the I&I Study conducted last year, new mandates for the NPDES Waste Water Permit and anticipated mandates for our MS4 permit for Storm water Management.

ARTICLE: 13 FINANCE COMMITTEE RESERVE FUND

To see if the Town will vote to raise and appropriate from taxation the sum of \$300,000.00 to provide for any extraordinary or unforeseen expenditures of the various Town Departments, by a vote of the Finance Committee out of the Reserve Fund, as provided by M.G. L. Chapter 40, Section 6.

To do or act thereon.

SPONSORED BY: Finance Committee
APPROPRIATION: \$300,000.00
FINCOM RECOMMENDATION: Recommends

Description: The FinCom Reserve Account provides funding for extraordinary or unforeseen expenditure, with the approval of the Finance Committee.

ARTICLE: 14 DEMOLITION OF OLD FOWLER GYM

To see if the Town will vote to raise and appropriate, or transfer from available funds or otherwise the sum of \$225,000.00 to be expended by the Board of Selectmen to deconstruct and remove the former Fowler Memorial Gymnasium located at 63 Summer Street and to complete the appropriate excavation, and paving following said removal to create off-street parking in the Summer Street area and to meet said appropriation authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$225,000.00 under M.G.L. Chapter 44, or any other enabling authority.

To do or act thereon.

SPONSORED BY: Facilities Department
APPROPRIATION: \$225,000.00
FINCOM RECOMMENDATION: At Town Meeting

Comments:

The demolition is recommended by previous reports since the facility is in need of approximately \$2.4 million in repairs and improvements. The cost associated with the demolition should not exceed \$225,000.00 including deconstruction, improving, engineering/design and paving of the recovered space. This will allow for much needed parking to alleviate dangerous on-street parking on Summer Street and be available to the neighborhood residents as necessary and available.

ARTICLE: 15 REDEVELOPMENT AUTHORITY

To see if the town will vote to allow the Town Administrator take the necessary steps to begin to create a Redevelopment Authority in accordance with Massachusetts General Law Chapter 121B of the Acts of Redevelopment and applicable regulations. Further to see if the town will vote under G.L. c. 121B§4 as amended, to establish a Redevelopment Authority and in that connection to make any and all determinations and declarations deemed necessary or desirable and to raise and appropriate \$6,000.00 from certified free cash as of July 1, 2011 for this purpose.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$6,000.00
FINCOM RECOMMENDATION: At Town Meeting

Comments: The cost is related to document preparation, posting requirements and anticipate initial legal costs.

ARTICLE: 16 DOWNTOWN ENHANCEMENT FUNDS

To see if the town will vote to raise and appropriate or transfer from other sources the sum of \$100,000.00 to be expended by the Board of Selectmen for the purpose of improving and/or maintaining the municipal fixtures, facilities, provide contract services and property improvement in the downtown area.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: \$100,000.00
FINCOM RECOMMENDATION: At Town meeting

Comments: This fund will be created from an existing gift account to enhance and revitalize downtown. This article will allow the fund to be utilized for their intended design.

ARTICLE: 17 RETIREMENT MINIMUM MONTHLY ALLOWANCE

To see if the town will vote to raise and appropriate the amount necessary to increase the minimum monthly allowance contained in G.L. c. 32 § 12(2)(d) from \$250.00 to \$500.00 to be effective July 1, 2012.

To do or act thereon.

SPONSORED BY:	Retirement Board
APPROPRIATION:	None
FINCOM RECOMMENDATION:	At Town Meeting

Comments: There is no financial impact to the FY 13 budget.

ARTICLE: 18 AVRTHS RENOVATION PROJECT

To see if the Town will approve the \$62,434,488 borrowing authorized by the Assabet Valley Regional Vocational School District, for the purpose of paying costs of the Assabet Valley Regional Technical High School Repair/Renovation Project, located at 215 Fitchburg Street, Marlboro, MA, including the payment of all costs incidental or related thereto (“the Project”) which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least (50) years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority(“MSBA”), said amount to be expended at the direction of the Assabet Valley Regional Technical High School Building Committee. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-three and forty-eight one-hundredths percent (53.48%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

Motion. That the Town hereby approves the \$62,434,488 borrowing authorized by the Assabet Valley Regional Vocational School District, for the purpose of paying costs of the Assabet Valley Regional Technical High School Repair/Renovation Project, located at 215 Fitchburg Street, Marlboro, MA, including the payment of all costs incidental or related thereto (“the Project”) which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least fifty (50) years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority(“MSBA”), said amount to be expended at the direction of the Assabet Valley Regional Technical High School Building Committee; that the Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-three and forty-eight one-hundredths percent (53.48%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized by the

District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA. And further, that the Town of Maynard shall not be responsible for more than its regional participation share of 11.31% of the total cost of borrowing less any and all grants authorized hereunder.

To do or act thereon.

SPONSORED BY: Board of Selectmen
APPROPRIATION: None
FINCOM RECOMMENDATION: At Town Meeting

Comments: The amount of the bond cost is variable during the length of the borrowing. It will average approximately \$170,000 annually. A full analysis will be revealed at the Annual Town Meeting by representatives of Assabet Valley Regional High School.

ARTICLE: 19 CPC FUND RESERVE APPROPRIATION FISCAL YEAR 2013

To see if the Town will vote to appropriate or reserve from FY2013 Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee (CPC), with each item to be considered a separate appropriation:

<u>Appropriations:</u>	
From FY2013 estimated revenues for Committee Administrative and Operating Expenses	\$ 10,000.00
<u>Reserves:</u>	
From FY2013 estimated revenues for Historic Preservation	20,400.00
From FY2013 estimated revenues for Open Space	20,400.00
From FY2013 estimated revenues for Community Housing	20,400.00
From FY2013 estimated revenues for Budgeted Reserve	132,800.00
Total:	\$204,000.00

To do or act thereon:

SPONSORED BY: Community Preservation Committee
APPROPRIATION: \$204,000.00
FINCOM RECOMMENDATION: At Town meeting

ARTICLE: 20 AGGREGATED PURCHASE OF ENERGY AND ENERGY-RELATED SERVICES

To see if the Town will vote to initiate the process to aggregate electrical loads, pursuant to MGL Ch. 164, Sec. 134, and to allow the Board of Selectmen to negotiate and enter into a contract for power supply and other related services, independently, or in joint action with other towns and/or cities and prior to entering into any such agreement the Board of Selectmen shall hold a public hearing to receive input. Further, to see if the Town will authorize the Board of Selectmen to appoint a representative to a sub-committee and/or any other organization, to oversee the development of any such joint action and make recommendations to said organization and the Board of Selectmen.

To do or act thereon.

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	None
FINCOM RECOMMENDATION:	At Town Meeting

Comments:

Summary: As a result of the Commonwealth of Massachusetts enacting Chapter 164 of the Acts of 1997, a competitive market place through deregulation and restructuring of the electric industry was established. The act included the right to aggregate a municipality or group of municipalities for the purpose of reducing their electric rates and improving services for residential and small business consumers. If such contracts are to be approved, individual consumers would retain the option not to participate and to choose any alternative for service they desire.

ARTICLE: 21 Fire Department Capital Equipment

To see if the Town will vote to raise and appropriate, or transfer from available funds or otherwise the sum of \$265,000.00 to be expended by the Board of Selectmen to procure and purchase equipment necessary for operation of fire and ambulance services and to meet said appropriation authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$265,000.00 under M.G.L. Chapter 44, or any other enabling authority.

To do or act thereon.

- Extrication Tool \$ 32,000.00
- Ambulance \$200,000.00
- Command Vehicle \$ 33,000.00

SPONSORED BY:	Fire Department, Fire Chief
APPROPRIATION:	\$265,000.00
FINCOM RECOMMENDATION:	At Town Meeting

Comments:

This expenditure will be used to purchase a powered extrication tool (Jaws of Life), class one ambulance and new department command vehicle.



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SPECIAL TOWN MEETING

To the Constable of the Town of Maynard, in said County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the voters of said Maynard, to assemble IN **FOWLER MIDDLE SCHOOL AUDITORIUM, THREE TIGER DRIVE** IN SAID town, on Monday, May 21, 2012 at 9:30 P.M. then and there to act on the following articles:

SPECIAL NOTICE TO VOTERS

On Monday, May 14, 2012 at 7:00 P.M., a public hearing will be held at the Maynard Town Hall, Michael J. Gianotis Room, Room 201, to discuss with any citizen who desires further information, as to the recommended budget, and any special Articles in the Warrant to which the Finance Committee has made a recommendation. Explanation and discussion concerning these matters may be helpful in the interest of saving time at the Special Town Meeting. Your participation is welcome

ARTICLE: S-1 PRIOR YEARS BILLS

To see if the town will vote to raise and appropriate from certified free cash as of July 1, 2011 the sum of \$40,894.00 to be appropriated as follows:

Fiscal Year 2009 in the amount of \$	13.00
Fiscal Year 2010 in the amount of \$	5,829.00
Fiscal Year 2011 in the amount of \$	35,052.00
Total	\$40,894.00

To do or act thereon.

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	None
FINCOM RECOMMENDATION:	At Town meeting

Comments: The requested appropriation will satisfy outstanding balances from prior years related to unemployment insurance. Failure to appropriate these funds would result in a demand on the Town Of Maynard from the Department of Revenue which will include additional interest and penalty.

ARTICLE S-2 COMMUNITY PRESERVATION FUND RESERVE

To see if the Town will vote to appropriate from Community Preservation Funds the amounts recommended by the Community Preservation Committee (CPC) for community preservation projects, with each item to be considered a separate appropriation, in accordance with the requirements of Massachusetts General Laws Chapter 44B:

Appropriations:

From Open Space Reserve Fund for the Maynard Conservation Land Trust Fund, with any of these expenditures from said Conservation Land Trust Fund to be subject to the provisions of the Community Preservation Act.	\$ 10,000.00
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From Budgeted Reserve Fund for purchase of easements for the Assabet River Rail Trail	\$ 25,000.00
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Total Appropriations from Community Preservation Fund	\$ 35,000.00
To do or act thereon.	

SPONSORED BY:	Community Preservation Committee
APPROPRIATION:	\$35,000.00
FINCOM RECOMMENDATION:	At Town meeting

ARTICLE: S-3 BY-Law Zoning Map Section 2

TO DETERMINE WHETHER THE TOWN OF Maynard will vote to amend the Zoning Bylaws and “Zoning Map of Maynard” referred to under Section 2.3 of the Maynard Protective Zoning By-Laws, dated October 5, 1959 as revised thereafter, by changing from that of a General Residential District, GR, to that of a Central Business District, CB, the following described area of land located southerly on Summer Street and being shown on a plan entitled “Zone Line Plan, 42 Summer Street, Maynard, MA”, dated March 22, 2012, prepared by H S & T Group, Inc., more particularly described as follows:

Beginning southerly on Summer Street at the confluence of the Central Business District and the General Residence District:

Thence: Running by Summer Street N63-55-13W, one hundred and thirty and 66/100 feet (130.66) to a stone bound;

Thence: Turning and running by land now or formerly of Mark Genest S42-51-49W, one hundred and sixty eight and 50/100 feet (168.50) to an iron pin;

Thence: Turning and running by land now or formerly of Landoil Realty Trust S69-38-11E, fifty and 74/100 feet (50.74) to a point of the confluence of the Central Business District and the General Residence District;

Thence: Turning and running northeasterly by the existing district line to the point of beginning.

Being a portion of Parcel 74 of Maynard Assessor’s Map 14.

To do or act thereon.

SPONSORED BY:	Planning Board
APPROPRIATION:	None
FINCOM RECOMMENDATION:	At Town Meeting
Comments:	

ARTICLE: S-4 WELL #4 TREATMENT PLANT GREENSAND FILTER MEDIA

To see if the town will vote to transfer from Water Retained Earnings the sum of \$100,000.00 for engineering, specifications, bidding documents and all labor, materials and sundry items to replace the Greensand Filter Media, gravel and other components of the filter vessels at the Well # 4 Treatment Plant. The Greensand Filter Media and vessels at the Rockland Avenue Water Treatment Plant will be evaluated and corrective action taken as necessary.

To do or act thereon.

SPONSORED BY:	Department of Public Works
APPROPRIATION:	\$100,000.00
FINCOM RECOMMENDATION:	At Town meeting

Comments:

The existing Greensand Media has deteriorated and is no longer able to effectively remove manganese and iron from the water. The media at Old Marlboro Well Field was replaced several years ago. We will not be able to use well 4 unless this project is completed. Magnesium exceeds DEP requirements and Iron levels were close to the maximum allowable. Iron and Manganese cause staining of cloths, sinks, tubs etc. Test results from an independent laboratory confirm the need to replace the media. The total cost of the project is estimated at \$160,000.00. The \$60,000.00 balance for the project is included in the FY 13 Water Enterprise budget.

ARTICLE: S-5 CERTIFIED FREE CASH APPROPRIATION

To see if the town will vote to appropriate from certified free cash as of July 1, 2011 the sum of \$430,000.00 for the following capital and stabilization fund purposes and in the following amounts:

Town Hall Improvements	\$ 20,000.00
Reo/Coolidge Renovations	\$150,000.00
Fowler Playground Design	\$ 20,000.00
Stabilization Transfer	\$200,000.00
Police Cruiser	\$ 40,000.00

To do or act thereon.

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	\$430,000.00
FINCOM RECOMMENDATION:	At Town Meeting

Comments:

ARTICLE: S-6 OPEB TRUST

To see if the town will vote to accept the provisions of M.G.L. c. 32B §20 in order to establish an “Other Post Employment Retirement Benefits Liability Trust Fund” for the purpose of holding appropriations to offset the anticipated costs of premium payments for or direct payments to be made to retired employees and eligible spouses or dependents of deceased employees of the Town and further to vote to appropriate from certified free cash as of July 1, 2011 the sum of \$50,000.00 for the purpose of funding said trust.

SPONSORED BY:	Finance Director
APPROPRIATION:	\$50,000.00
FINCOM RECOMMENDATION:	At Town meeting

ARTICLE: S-7 **USE OF UNEXPENDED PROCEEDS OF
OUTSTANDING BOND**

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	None
FINCOM RECOMMENDATION:	At Town Meeting

ARTICLE: S-8 FY2012 OPERATING BUDGET TRANSFERS

SPONSORED BY:	Board of Selectmen
APPROPRIATION:	None
FINCOM RECOMMENDATION:	At Town Meeting

Comments: